

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

BECKLEY DIVISION

In re MASSEY ENERGY CO.  
SECURITIES LITIGATION

CIVIL ACTION NO. 5:10-cv-00689

**JOINT MOTION TO WITHDRAW AS COUNSEL**

A. L. Emch, Jonathan L. Anderson, and the law firm Jackson Kelly PLLC and Stuart W. Gold, Julie A. North, the law firm Cravath, Swaine & Moore LLP and Ronald S. Rolfe (hereinafter referred to collectively as “Withdrawing Counsel”), pursuant to Local Rule of Civil Procedure 83.4, hereby move to withdraw as counsel for Defendant Alpha Appalachia Holdings, Inc., f/k/a Massey Energy Company (hereinafter “Alpha”). As further support for its motion, Withdrawing Counsel states the following:

1. Defendant Alpha is currently represented in this action by Brian Glasser, Ricklin Brown, Christopher S. Morris and the law firm of Bailey & Glasser, LLP and Mitchell A. Lowenthal, Boaz Morag and the law firm of Cleary Gottlieb Steen & Hamilton LLP, and Withdrawing Counsel. Withdrawing Counsel seeks the Court’s permission to be allowed to withdraw as counsel for Defendant Alpha.

2. Brian Glasser, Ricklin Brown, Christopher S. Morris and the law firm of Bailey & Glasser, LLP and Mitchell A. Lowenthal, Boaz Morag and the law firm of Cleary Gottlieb Steen & Hamilton LLP will continue to represent Defendant Alpha.

3. Withdrawing Counsel will continue to represent the following individual Defendants in this litigation: James B. Crawford, E. Gordon Gee, Robert H. Foglesong, Richard M. Gabrys, Lady Barbara Thomas Judge, Dan R. Moore and Stanley C. Suboleski.

4. Counsel for Alpha has communicated with other counsel of record and is authorized to say there is no objection, by any other party, to the granting of this motion.

5. WHEREFORE, A. L. Emch, Jonathan L. Anderson, and the law firm Jackson Kelly PLLC , Stuart W. Gold, Julie A. North and the law firm Cravath, Swaine & Moore LLP and Ronald S. Rolfe respectfully request the Court enter an Order allowing them to withdraw as counsel for Defendant Alpha Appalachia Holdings, Inc., f/k/a Massey Energy Company.

Respectfully submitted,

Withdrawing Counsel for Defendant Alpha  
Appalachia Holdings, Inc., f/k/a Massey  
Energy Company

/s/Jonathan L. Anderson

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At Beckley

IN RE MASSEY ENERGY CO.  
SECURITIES LITIGATION

Civil Action No. 5:10-cv-00689

**CERTIFICATE OF SERVICE**

I, Jonathan L. Anderson, hereby certify that on May 14, 2012, I electronically filed the foregoing *Joint Motion to Withdraw as Counsel* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

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